

**REMARKS**

In an Office Action dated April 7, 2006, Examiner David Blanchard, the Examiner of Record in S.N. 10/891,866, promulgated a Provisional "Same Invention" Double patenting Rejection under 35 U.S.C. § 101, as follows:

**Double Patenting:**

Claim 4 (of S.N. 10/891,866) stands provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claim 32 of copending Application No. 10/603,006. Claim 4 in the instant application is drawn to the isolated clone deposited with the ATCC as Accession Number PTA-4889 and claim 32 of copending Application No. 10/603,006 is also drawn to the isolated clone deposited with the ATCC as PTA-4889.

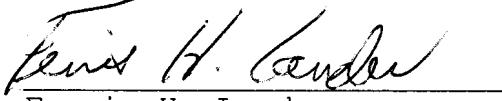
In order to obviate this ground of rejection, Applicants desire to cancel claim 32 in the instant application.

Accordingly, this amendment is being filed of even date with the response in S.N. 10/891,866, canceling instant claim 32, and thereby obviating the provisional double patenting rejection under 35 USC 101, promulgated in S.N. 10/891,866.

SUMMARY

In light of the foregoing remarks and amendment to the claims, favorable consideration of the application is courteously requested.

Respectfully submitted,

  
Ferris H. Lander  
Registration # 43,377

McHale & Slavin, P.A.  
2855 PGA Boulevard  
Palm Beach Gardens, FL 33410  
(561) 625-6575 (Voice)  
(561) 625-6572 (Fax)